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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:)	
)	
Implementation of the)	
Local Competition Provisions)	CC Docket No. 96-98
Of the Telecommunications Act of 1996)	
)	
Joint Petition of BellSouth, SBC, and Verizon)	
for Elimination of Mandatory Unbundling of)	DA 01-911
High-Capacity Loops and Dedicated Transport)	

JOINT MOTION FOR EXTENSION OF TIME

Advanced Telcom Group, Inc. (ATG), the Association for Local Telecommunications Services (ALTS), BroadRiver Communications Company, Broadslate Networks, Inc., Choice One Communications, Inc., the Competitive Telecommunications Association (Comptel), Covad Communications Company, e.spire Communications, Inc., Eschelon Telecom, Inc., Intermedia Communications Inc., KMC Telecom Inc., Local Telephone and Data Services, Network Telephone Corporation, Network Access Solutions (NAS), New Edge Network, Inc., NewSouth Communications, Inc., NuVox Inc., Pac-West Telecomm, Inc., RCN Telecom Services, Inc., US LEC Communications Inc., and WorldCom, Inc. (Joint Movants) ask that the Commission grant an extension of 30 days to file comments and reply comments on the above-referenced petition. It is in the public interest to grant this motion and the Commission should do so on an expedited basis. Responding to the multitude of misleading assertions in that petition will require the Joint Movants to assemble and analyze a significant amount of information. No party will be harmed

by granting an additional 30 days.

The Joint Petition asks the Commission to disregard the commitment made in the *UNE Remand Order* not to entertain *ad hoc* petitions to remove elements from the list of mandatory unbundled network elements, and to re-examine that mandatory list every three years.¹ The primary support offered for this remarkable request is a report submitted by the United States Telecom Association entitled “Competition for Special Access Service, High-Capacity Loops, and Interoffice Transport” (USTA Report). The USTA report consists of statements and information gathered from numerous sources including, *inter alia*, data internal to the petitioners, public filings, third-party reports, news releases, Commission reports, Commission orders, analyst reports, court decisions, interviews, and media stories. The USTA report relies on these materials to support the proposition that competitive loop and transport facilities obviate the need for continued mandatory unbundling of DS-1 and above loops and transport links.

To respond to this hodgepodge of information and hearsay, the Joint Movants will have to assess the validity of the claims made in the USTA report both by critiquing the information cited by the Joint Petitioners and by analyzing information external and internal to the Joint Movants. This is a significant undertaking for the competitive industry at a time when the industry is hard-pressed for resources. Nonetheless, the Joint Movants view refuting the specious USTA report as an important task to which they will devote the needed resources. If the Commission grants this motion for an additional 30 days to file comments and replies, the

¹ *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Third Report and Order (rel. Nov. 5, 1999), ¶¶ 150, 151.

Joint Movants believe that they will have sufficient time to gather and analyze the necessary information.² It is critical that the Commission grant this motion on an expedited basis. The Joint Movants will undertake a significantly different approach if they must file comments according to the existing schedule. The Joint Movants respectfully request that the Commission either grant or deny this motion by no later than April 27, 2001.

Neither the Joint Petitioners nor any other party will be harmed by granting this motion. Assuming the truth of the claims made in the USTA report,³ the Commission's existing unbundling rules do not appear to have had any negative consequences for the Joint Petitioners or for customers. The Joint Petitioners have not cited any imminent or continuing harm that allowing an additional 30 days would exacerbate. Indeed, the Joint Petition specifically claims that in the months since the *UNE Remand Order* was released, competition for loop and transport services has flourished to the great benefit of customers and competition.⁴ Moreover, the Joint Petitioners have provided no evidence to suggest that the volume of DS-1 above loop and transport orders which they provision on a monthly basis is so significant that granting this motion would harm them. Accordingly, it is in the public interest to grant an additional 30 days for filing comments and reply comments on the Joint Petition.

² Comments are currently due on May 10, 2001; replies on May 25, 2001.

³ In fact, the Joint Movants believe that many of the claims made in the USTA report are exaggerated or taken out of context. Nonetheless, for purposes of this motion only, we will not challenge them.

⁴ See, e.g., p.6: "In the past two years (only a bit less than the period between passage of the Act and the compiling of the record in the UNE Remand proceedings) competitive loop and transport facilities have proliferated dramatically."

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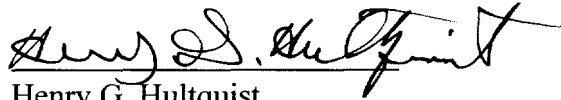
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Certificate of Service

I, Barbara Nowlin, do hereby certify that copies of the foregoing Joint Motion for Extension of Time of WorldCom, Inc., were sent via first class mail, postage paid to the following on this 19th day of April, 2001.

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